

FILED/ACCEPTED

DEC - 2 2010

**Federal Communications Commission
Office of the Secretary**

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	MM Docket No. 10-157
)	
EDDIE FLOYD)	NAL/Acct. No. 201041410018
)	
Licensee of FM Translator Station K273AF, Carson City, Nevada)	FRN: 0011733425
)	Facility ID No. 13529
)	
EDDIE FLOYD)	
)	
and)	
)	
WILKS LICENSE COMPANY-RENO, LLC)	File No. BALFT-20070904ACU
)	
For Assignment of License of FM Translator Station K273AF, Carson City, NV)	
)	
EDDIE FLOYD)	File No. BMLFT-20071218ABH
)	
For Modification of License of FM Translator Station K273AF, Carson City, NV)	
)	
To: Office of the Secretary		
Attn: Chief Administrative Law Judge Richard L. Sippel		

Joint Prehearing Statement

Eddie Floyd, Wilks License Company-Reno LLC, and the Enforcement Bureau, by their respective counsel and pursuant to *Order* FCC 10M-19 (ALJ, rel. Nov. 29, 2010) ("*Order*"), submit their Joint Prehearing Statement. In the *Order*, the Presiding Judge directed the parties to first confer and "attempt to agree to an appropriate Order referring this case to the Media Bureau for consideration of possible relief for Eddie Floyd under the Commission's *Second Thursday*

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Doctrine,” and then to file by December 2 a joint statement regarding the progress of the parties’ discussions.¹

As directed, the parties conferred on December 1, 2010. The parties agree that an order referring this case to the Media Bureau is, at this juncture, premature. In this regard, Floyd states that he is awaiting bankruptcy court approval for the sale of Station K273AF. Upon receiving bankruptcy court approval, Floyd indicates that he shall file with the Presiding Judge a Petition for Extraordinary Relief and concurrently file with the Media Bureau an application to assign the station to Evans Broadcasting.

Counsel for Floyd has advised the parties that he would, at the Prehearing Conference, address the steps that have been/are being taken to obtain bankruptcy court approval. In addition, to the extent that it is relevant, counsel for Floyd will answer the Presiding Judge’s questions concerning:

- (a) the non-disclosure of the Eddie Floyd Bankruptcy;
- (b) explanation of Mr. Floyd’s statement “they’ve [Wilks-Reno] been utilizing [the station] way before June 1st of 2007.”;
- (c) the ownership and operation of the station by Floyd and/or Wilks-Reno.

Counsel for the Enforcement Bureau and for Wilks-Reno also met on December 1 in an effort to resolve any remaining relevant concerns of the Enforcement Bureau so as to permit dismissal with prejudice of Wilks-Reno as a party in the captioned proceeding. Significant progress was made in those talks, and a procedure for satisfying the Enforcement Bureau was agreed upon. The Enforcement Bureau and Wilks-Reno are continuing to pursue

¹ See Order at 2.

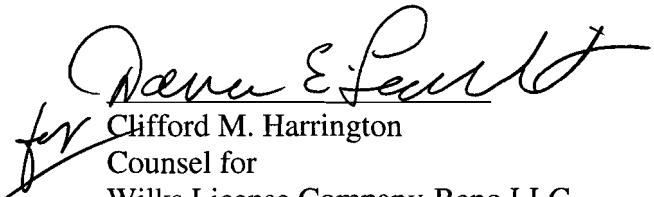
these discussions and will report on their progress at the Prehearing Conference on Friday,
December 3, 2010.

Respectfully submitted,

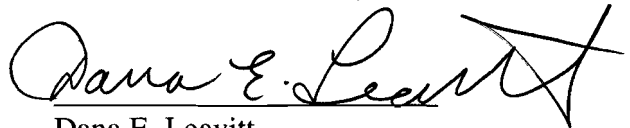
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Dana E. Leavitt
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Enforcement Bureau

December 2, 2010

CERTIFICATE OF SERVICE

Alicia McCannon, a Paralegal Specialist in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 2nd day of December, 2010, sent by first class United States mail, or delivered by hand, copies of the foregoing "Joint Prehearing Statement" to:

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* Courtesy copy filed via electronic mail